



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/514,997	02/25/2000	Axel Schultze	4705US	7703

758 7590 05/10/2002

FENWICK & WEST LLP
TWO PALO ALTO SQUARE
PALO ALTO, CA 94306

EXAMINER

BACHNER, REBECCA M

ART UNIT	PAPER NUMBER
----------	--------------

3623

DATE MAILED: 05/10/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/514,997

Applicant(s)

SCHULTZE, AXEL

Examiner

Rebecca M Bachner

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Detailed Action

This is a first office action on the merit. Claims 1-8 are pending.

Information Disclosure Statement

1. The examiner has reviewed the publications in the Information Disclosure Statement (IDS) provided on July 13, 2001.

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure. The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDonough et al. (P.N. 6,070,172) in view of Johnson et al. (P.N. 6,067,525).

4. As per claim 1, McDonough et al. disclose a computer-based method for distributing leads from a lead database, the method comprising the steps of:

Receiving a selected lead to a user in response to said lead request (see column 7, lines 1-3, and figure 2, the customer contact may be initiated by the company or the customer; therefore a lead, or customer, is received by the user, or company, in response to a lead request, the initiator);

Providing a selected lead to a user in response to said lead request (see column 7, lines 61-66, and column 8, lines 57-64, and column 9, lines 3-9, the customer, or lead, is routed to the appropriate salesperson based upon available resources, or salespersons, that contain the skills that can best respond to the lead);

Preventing said selected lead from being provided to another user (see column 10, lines 42-60, the Context Manager is responsible for matching the lead with a user, in doing this, the Context Manager inherently ensures that the lead is prevented from being provided to another user or salesperson);

Receiving a processing request from the user for the selected lead (see column 12, lines 43-52, and column 13, lines 1-36, the lead and the user are matched by their skills); and

Processing the selected lead to identify a result of said lead (see figure 7, and column 4, lines 1-8, the results of the transactions are stored in the customer database);

McDonough et al. do not explicitly teach automatically sending a first confirmation message to the user and automatically sending a second confirmation

Art Unit: 3623

message to the lead wherein the first and second confirmation messages indicate said result. However, Johnson et al. teach of using a confirmation message (see figure 16, column28, lines 37-57, confirmation messages are sent indicating the result with the new status of the lead). It would be obvious to one of ordinary skill in the art to use a confirmation message as it indicates the result of the lead. One of ordinary skill in the art would be motivated to send a confirmation message as it allows the lead and the user to approve of their outcome and update the database.

As per claim 2, McDonough et al. disclose a method of claim 1, wherein said first and second confirmations are sent via a wide area network (see column 9, lines 10-12, a local area network (LAN), is just a smaller wide are network (WAN); therefore, it would be inherent that the method in claim 1 could be used on a wide area network).

As per claim 3, McDonough et al. disclose a method of claim 2, wherein said wide area network is an Internet (see column 6, lines 31-32, the method of claim 2 can be used on an Internet).

As per claim 4, McDonough et al. discloses a method of claim 1. McDonough et al. do not explicitly teach the step of sending a confirmation. However, Johnson et al. disclose the step of automatically sending a confirmation, message to an administrator (see figure 16, column28, lines 37-57, confirmation messages are sent indicating the result with the new status of the lead). It would be obvious to one of ordinary skill in the

Art Unit: 3623

art to use a confirmation message as it indicates the result of the lead. One of ordinary skill in the art would be motivated to send a confirmation message as it allows the lead and the user to approve of their outcome and update the database.

As per claim 5, McDonough et al. discloses a method of claim 4, wherein said first and second confirmations are sent via a wide area network (see column 9, lines 10-12, a local area network (LAN), is just a smaller wide area network (WAN); therefore, it would be inherent that the method in claim 1 could be used on a wide area network).

As per claim 6, McDonough et al. discloses the method of claim 3, wherein said wide area network is an Internet (see column 6, lines 31-32, the method of claim 3 can be used on an Internet).

As per claim 7, McDonough et al. discloses the method of claim 1, wherein said lead request identifies one or more parameters the lead must have (location, product) (see column 7, lines 61-66, the user, is assigned to a lead based on the skills they contain that match with the leads, or potential customers; therefore the lead request for the user would contain parameters that the lead must have such as products and location).

As per claim 8, McDonough et al. discloses the method of claim 1, where each lead includes at least one contact information and product information (see column 9,

lines 33-37, the lead, or potential customer, contains a request, the lead also has contact and product information stored in their profiles and accounts).

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bull et al. (P. N. 6,208,975) disclose a system and process for matching a user and a potential customer.

Katz et al. (P.N. 6,055,513) disclose a method and apparatus for determining a potential customer on the Internet.

Patterson et al. (P.N. 5,915,246) disclose a system for matching a potential user profile with a product.

Houchhauser in "The Interactive Evolution of a Direct Marketing Lender" discloses a company that distributes sales leads over the Internet.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rebecca Bachner whose telephone number is 703-305-1872. The examiner can normally be reached Monday - Friday from 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached at 703-305-9643.

The fax numbers for the organization where this application or proceeding is assigned are as follows:

Art Unit: 3623

703-746-7238 [After Final Communication]

703-746-7239 [Official Communications]


703-746-7240 [For status inquiries, draft communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

RMB

RMB

April 29, 2002


ERIC W. STAMBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100